



AGENDA ITEM

2.1.4

CTM BOARD

**AMENDMENT TO THE STANDARDS OF BEHAVIOUR FRAMEWORK
POLICY – DECLARATION OF INTEREST PROCESS**

Date of meeting

30/07/2020

FOI Status

Open/Public

**If closed please indicate
reason**

Not Applicable - Public Report

Prepared by

C. Hamblyn, Assistant Director of
Governance & Risk

Presented by

C. Hamblyn, Assistant Director of
Governance & Risk

Approving Executive Sponsor

Director of Corporate Governance

Report purpose

FOR APPROVAL

**Engagement (internal/external) undertaken to date (including
receipt/consideration at Committee/group)**

Committee/Group/Individuals

Date

Outcome

Management Board

20/05/2020

SUPPORTED

Audit & Risk Committee

15/06/2020

ENDORSED FOR
APPROVAL

ACRONYMS

Not Applicable

1. SITUATION/BACKGROUND

- 1.1 In accordance with Standing Orders, and more specifically the Standards of Behaviour Framework Policy, the Director of Corporate Governance has delegated responsibility for ensuring a 'Register of

Interests' is established and maintained as a formal record of interests declared by Employees and Independent Board Members.

- 1.2 The Register should include details of Directorships, pecuniary (financial) and non-pecuniary interests in organisations that may have dealings with the NHS and membership of professional committees and third sector bodies. Where relevant it will also include details of interests of close family members or civil partners.
- 1.3 During their audit of declarations received for 2019/2020, a weakness in the process for registering interests on the current Declaration of Interests form was identified by Audit Wales. It was advised that the form should be extended to include close family members as well as Spouse/Partner. It had also been previously identified by the Interim Director of Corporate Governance that the collation of management of interests declared could be strengthened. The Director of Governance now considered it timely to review the form and process as outlined in section 1.4 below.
- 1.4 The purpose of this report is to consider and endorse the following changes to the Standards of Behaviour Framework Policy in relation to the management of the Register of Interests process:
 - A revised Declaration form for implementation in July 2020 for use in the 2020-2021 call for declarations of interest to address Audit Wales requirements and the proactive management by line managers of any interests declared.
 - Revised timescales for prompting declaration of interest returns.
 - Increased reporting to Management Board and Audit & Risk Committee
 - Commitment to reduce the administrative burden and support the move to an automated system e.g. ESR Module for Declarations of Interest.

Each of these areas are explored further in section 2.

2. SPECIFIC MATTERS FOR CONSIDERATION BY THIS MEETING (ASSESSMENT)

2.1 Revised Declaration of Interest Form

A revised form has been developed based on best practice in NHS Wales for immediate adoption by the Health Board.



The form included at Appendix 1a, and completed example at Appendix 1b, strengthens the current process by capturing the relationships required, including any financial transactions and/or benefits in kind aligned with the activity declared. The revised form also requires line manager consideration of any declarations to ensure any potential conflicts of interest are managed appropriately and in a timely manner, taking advice from the Corporate Governance Team as required.

2.2 Revised Timescales for prompting Declaration of Interest Returns

Arrangements are in place to prompt specific groups of Employees and Independent Board Members to complete a Declaration of Interest Form as outlined in the table below – Column 2 “Current Timetable”, this is a retrospective call for the current financial year ending 31 March.

The Board are asked to support a change to proactively prompt returns at the start of the financial year, rather than retrospectively which has been the practice in the Health Board for some time. Although the onus is on the individual to notify of any changes in year a reminder will be added into the process as a prompt circa every six months. This change in approach promotes a proactive management of any potential conflicts for the current year we are working within

Due to the timings of this report it is proposed that if supported the call for 2020-2021 declarations will be sought in July 2020 to then follow in every April thereafter.

Staff Group	Current Timetable	Revised Timetable
Board Members and Board Level Directors	Annually in January	Annually in April for the forthcoming financial period
Integrated Locality Group and System Group Leads	Annually in March	Annually in April for the forthcoming financial period
Consultants, Senior Clinical Staff and all Managers or Staff at Band 8a or above.	Annually in March	Annually in April for the forthcoming financial period

2.3 Increased reporting to Management Board and Audit & Risk Committee

The current process is an annual report to the Audit & Risk Committee. It is proposed that this is undertaken on a more frequent basis for increased assurance and scrutiny.

It is suggested that the frequency is increased to quarterly with a report firstly received at the Management Board and then the Audit & Risk Committee thereafter.

2.4 Commitment to reduce the administrative burden and support a move to an electronic system

The current system is paper based supported by an online report form generated via the SharePoint system. The online form will need to be amended if the new form is supported.

The Corporate Governance Team are exploring with Shared Services Partnership the implementation of the Declaration of Interest Module on ESR, this would alleviate significant administrative paper based activities currently involved in calling for declarations, recording and reporting. Any resource implications are not yet known.

In the meantime, whilst an automated system is being explored a full electronic register will be maintained and readily available for public audit inspection going forward. This register will be used to inform the reports to the Management Board and Audit & Risk Committee meeting as appropriate.

3. KEY RISKS/MATTERS FOR ESCALATION TO BOARD/COMMITTEE

- 3.1 Section 2, provides a full assessment of the key risk to the current form (2.1) and the matters that the Corporate Governance Team would like to address to further strengthen and enhance the process for managing the register of interests in the Health Board (2.1-2.4).
- 3.2 The proposed changes in the form and approach for managing this process has been shared with Audit Wales and Internal Audit colleagues. Any feedback received has been incorporated as appropriate.
- 3.3 The Management Board supported the changes at the meeting on the 20 May 2020. The version of the form received at the Management Board meeting on the 20 May 2020, has been further strengthened

as it now incorporates comments received from Audit Wales and Internal Audit.

- 3.4 The Audit & Risk Committee endorsed approval of these changes at its meeting on the 15 June 2020.

4. IMPACT ASSESSMENT

Quality/Safety/Patient Experience implications	Yes (Please see detail below)
	The Register and Declaration of Interests is the method by which the Health Board safeguards against conflict or potential conflict of interest where private interests and public duties of members of staff do not concur. The Health Board must be impartial and honest in the conduct of its business and must ensure that employees remain beyond suspicion at all times.
Related Health and Care standard(s)	Governance, Leadership and Accountability
	If more than one Healthcare Standard applies please list below:
Equality impact assessment completed	Not required
Legal implications / impact	There are no specific legal implications related to the activity outlined in this report.
Resource (Capital/Revenue £/Workforce) implications / Impact	There is no direct impact on resources as a result of the activity outlined in this report.
Link to Main Strategic Objective	To provide strong governance and assurance
Link to Strategic Well-being Objectives	Provide high quality, evidence based, and accessible care

5. RECOMMENDATION

5.1 The Board are asked to **APPROVE** the following changes to the Standards of Behaviour Framework Policy in relation to the management of the Register of Interests process:

- A revised Declaration form for implementation commencing July 2020.
- Revised timescales for prompting declaration of interest returns commencing in July 2020 and then April each year.
- Increased reporting to Management Board and Audit & Risk Committee